

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

League of Women Voters of South
Carolina, *et al.*,

Plaintiffs

vs.

Marci Andino, in her official capacity as
Executive Director of the South Carolina
State Election Commission, *et al.*,

Defendants.

Civil Action No. 2:20-3537-RMG

ORDER

In the course of oral argument on Plaintiffs’ motion for preliminary injunction conducted on October 21, 2020, there was extensive discussion concerning whether any South Carolina County Boards of Voter Registration and Elections (“County Boards”) were engaged in signature matching procedures¹ for the 2020 General Election. Defendant Andino previously submitted to the Court a Supplemental Declaration that she was “not aware of and ha[s] no personal knowledge of any County Board that has procedures for, is conducting, or plans to conduct ‘signature matching procedures’ . . . for the 2020 General Election.” (Dkt. No. 58 at 1). Plaintiffs allege in their Second Amended Complaint that Greenville County election officials “are implementing a signature match requirement for the November 2020 election using paid personnel” and that Richland County discussed plans to hire a vendor to conduct “computerized signature verification process for absentee ballots.” (Dkt. No. 53 at 16). Defendant Andino also

¹ “Signature matching procedures” refer to any review process conducted by election officials to compare a voter’s signature on an absentee ballot to some other signature of the voter, which may be used to disqualify or reject an absentee ballot that is otherwise properly completed and timely submitted.

informed the Court in her Supplemental Declaration that Charleston County had discussed purchasing signature matching software for absentee ballots, but to her knowledge such software was not purchased or put to use for the 2020 General Election. (Dkt. No. 58 at 1-2).

Defendant Andino has agreed, and is directed, to conduct a survey of all 46 County Boards regarding their use of signature matching procedures and to provide the Court a response to the following questions for each County Board on or before noon on October 26, 2020:

1. Is the County Board, or any staff employed or working on behalf of the County Board, conducting or planning to conduct signature matching procedures on absentee ballots for the November 2020 General Election and on that basis disqualifying or rejecting any absentee ballots that are otherwise properly completed and timely submitted?

2. If the answer to Question No. 1 above is in the affirmative for any County Board, set forth the procedures the County Board will provide to any absentee voter whose ballot is disqualified or rejected on the basis of mismatched signatures for timely notice of the County Board action and an opportunity to timely contest the disqualification or rejection of the absentee ballot.

AND IT IS SO ORDERED.

s/Richard Mark Gergel
Richard Mark Gergel
United States District Judge

October 21, 2020
Charleston, South Carolina